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three quarters of a century before the Legal Tender Cases were decided, that the United States, even under the Articles of Confederation, were invested with powers which were inherent in sovereign nations, and impossible of exercise by any individual State, although not granted by the Articles. As authority for these propositions, the book is superseded by United States Supreme Court decisions; but as an exemplification of the views held by the framers of our Constitution as to its proper interpretation, and so as a basis for the later decisions, it must remain valuable.

Little fault is to be found with the substance of Mr. Andrews's work as editor. He spares us unnecessary notes, and his notes where inserted are helpful, and properly appreciative of the scope and importance of the author's propositions. The main body of the text bears testimony to careful proof-reading; but not infrequently typographical errors mar the foot-notes; and exception may be taken to such vague references as "See Pollock Maitland's [*sic*] History of the English Laws" (vol. i. p. 440); and "See Appendix" (vol. i. p. 545), where the appendix meant is that at the end of the second volume.

E. R. C.

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THE LAND LAWS. By Sir Frederick Pollock, Bart. Third Edition. Macmillan & Co., London and New York. 1896. pp. x, 233.

To those who have read the book in the past this new edition will surely be welcome. For those who have yet to make its acquaintance, there is a fresh delight in store. Sir Frederick Pollock has a faculty for investing the driest of matters with interest. Take for example his amusing yet accurate account of "suffering a recovery," where Brian and Littleton are in colorable litigation, and Catesby, the so-called "vouchee," accommodatingly ends the affair by surreptitiously "departing in contempt of court." A student could not desire a more agreeable introduction to the technical treatises on the law of real property; nor need the lay reader fear longer to find the subject of land laws "caviare to the general."

The important changes from former editions include a thorough revision of the chapter on "Early Customary Law," and the addition of a note dealing with the "Origins of the Manor" in the light of recent research. In this note, Sir Frederick commits himself to neither the "villa" nor the Germanic theory. The alterations in the account of early customary law were made necessary by a frank change of attitude as to the nature of "folk-land." It is no longer described as *ager publicus*, land held by the nation for public purposes, (see 1st ed., p. 20.) but rather as "land held by folk-right or customary law," in contrast to "book-land," which was "held in several property under the express terms of a written instrument." Strangely enough, this view is a return to one advanced two hundred years ago, and owes its present acceptance to the researches of a Russian, Mr. Vinogradoff.

Very naturally, there are many additions to the chapter on "Modern Reforms and Prospects." Several recent statutes are described, noticeably the copyhold act of 1894. The Torrens Land Transfer System is dealt with very briefly and in a non-committal way, though it is quite evident that in so far as the system does away with the possibility of "adverse possession" of registered land, and the operation of the statute of limitations, it is displeasing to the author. The abolition of primogeniture, and a radical simplification of the law governing the settlement of estates, are said to be prospects the realization of which is not far off. In

an allusion to the radical reforms effected in the land laws in the last sixty years, Sir Frederick says, with characteristic humor and terseness: "Lord St. Leonards would have been in their eyes" (*i. e.* the Real Property Commissioners of 1829) "a rash innovator, Lord Cairns a revolutionist, and for Lord Halsbury parliamentary language would have failed them." The closing paragraph refers with much quiet satisfaction to the defeat of the socialistic candidates in the last Parliamentary elections.

E. R. C.

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OUTLINES OF LEGAL HISTORY. By Archer M. White, Barrister-at-Law. London: Swan Sonnenschein & Co., Lim. New York: MacMillan & Co. 1895. pp. xvi, 251.

Of the three works on English Legal History that have appeared within a half-year, this little volume by Mr. White undoubtedly covers the most ground, but is nevertheless primarily intended for the smallest class of readers. Mr. Inderwick in "The King's Peace" has given a sketch of the higher English courts. He traces their development in connection with the growth and changes in the customs and dealings of the people. "The History of English Law before the Time of Edward I., by Pollock and Maitland, covers the whole field of early English law in an unusually exhaustive and scholarly manner. This volume of Mr. White's covers the ground of both the other works, though necessarily in the briefest manner possible, and then continues in new fields. Beginning with a brief description of the important features of the English judicial system of to-day, it proceeds to a history of the origin and evolution of the major courts, devotes a short chapter to the minor and obsolete courts, and considers the Saxon system, "the cradle of the English law," and the changes and distinctions between it and the Norman system. The last and longest chapter is a chronological summary of leading principles and topics of the law, including sections on constitutional matters, equity, and criminal law. Each topic is treated tersely by itself, and traced from its origin through its important changes. The bare mention that all this information is compressed into less than 250 small pages will indicate that the book can be neither easy reading nor an exhaustive history. It is intended to aid English law students in preparing quickly for their Bar Trial Examination in Legal History. In fulfilling this end, it becomes so condensed and methodical as to be rather a syllabus or compendium than a literary work. The fact that it is a text-book cannot be forgotten. Therefore, it will not attract the casual lay reader. The young student, however, will be delighted with it, as a better summary of the subject than he could possibly prepare. And as there is no other work which covers even superficially the whole extent of this little volume, it will appeal to many an older student of law and legal history as a handy reference manual.

H. C. L.

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A MANUAL OF ELEMENTARY LAW. By William P. Fishback, Dean of the Indiana Law School. Indianapolis and Kansas City: The Bowen-Merrill Company. 1896. pp. xxvii, 467.

Owing to the considerable number of works of this nature already before the public, it may be doubted whether there is room for another. But, disregarding this question, the small volume by Mr. Fishback has in its field undoubted merit. It briefly but interestingly summarizes the well